

IN THE UNITED STATES BANKRUPTCY COURT  
District of Puerto Rico

**In the Matter of:**

JOSE ANTONIO RIVERA GONZALEZ  
LIZZETTE JANEL AVILES VEGA

Debtor(s)

Case No. **10-11784 BKT**

Chapter 13

**MOTION TO RECONSIDER DISMISSAL**

**TO THE HONORABLE COURT:**

The undersigned, attorney for the above-named debtor, notifies the Court as follows,

1. Present case was filed on December 16, 2010. Only the skeleton was filed as an emergency measure to prevent a garnishment by IRS announced for December 17, 2010.
2. Due to an oversight the notice to consumer debtor was missing. Although docket number 7 reflect that a notice about the problem was mailed to the undersigned by the Court, we had problems receiving mail from our internet mail provider PRTC.NET for that day and did not received the notice in order to timely correct the problem. This provider uses a POP mailing system that downloads by request to our computer and it seems that for technical problem with our system it did not download. This type of mail is managed in two steps: The mail gets to the internet provider's server and then it may be downloaded by request, but the user may be unaware of the mail until it is downloaded into his/her computer (at least this is the arrangement that we have with our system). To prevent future similar situations, as soon as December 24, 2010 we are changing our primary e-mail system to Gmail by Google in order to have better control of the correspondence sent by the court.
3. We have filed on this same day the missing form and request from the court to excuse our failure to respond to the notice due to the situations explained and set aside the order dismissing case. The Schedules and plan will be filed not later than December 25, 2010.

**WHEREFORE**, we respectfully request from this Honorable Court to take notice of the informed above and set aside the order dismissing case.

**I HEREBY CERTIFY**, that the Chapter 13 trustee and the US Trustee's Office are in the courts' electronic mailing list to receive copy of this document by the CM/ECF system.

In Vega Baja, Puerto Rico, on this December 24, 2010.

S/ Juan O. Calderon Lithgow

**JUAN O. CALDERON LITHGOW**

ATTORNEY FOR DEBTORS,  
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